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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,440	11/21/2000	Lars-Goran Petersen	2380-287	8213
7590	08/30/2005			
EXAMINER				
NGUYEN, HANH N				
ART UNIT		PAPER NUMBER		
2662				

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SY

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/716,440	PETERSEN ET AL.	
	Examiner	Art Unit	
	Hanh Nguyen	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 May 2005.  
 2a) This action is FINAL.                                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-105 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 23-30,53-60 and 82-89 is/are allowed.  
 6) Claim(s) 1, 16,21,22,36,49-52,65,78-81,94,95 and 102-105 is/are rejected.  
 7) Claim(s) 2-15,17-20,31-35,37-48,61-64,66-77,90-93 and 96-101 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date 11/21/00; 5/25/01; 7/10/02; 3/27/03

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

***DETAIL ACTION***

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 36 and 65 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding specification in page 10, lines 15-25, the “one or more predetermined values” are not clearly described. Therefore, claims 1, 36 and 65 are rejected because it is not clear what is meant by “a predetermined value” in line 7.

Claims 2-22, 37-52 and 66-81 are rejected because they depend on claims 1, 36 and 65.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 16, 21, 22, 36, 49-52, 65, 78-81, 94, 95 and 102-105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasson et al. (US 6,728,261 B1) in view of Nakano et al. (US Pat. 6,574,226 B1).

Regarding claims 1, 36, 65 and 94, Sasson et al. discloses ATM AAL2 packets are encapsulated under IP packets, then are transmitted over IP network ( see Abstract, fig.5&6, col. 4, lines 40-60) ( a method of operating a data transmission system for transport by plural ATM Adaptation Layer 2 packets over IP network which means that using one or more Internet Protocol packets to transport the plural AAL2 packets). Each of the plural AAL2 packets having a header ( see fig.4& 8). Sasson et al. further discloses, in fig.6, step 670 that a sequence number ( a predetermine value) is added into header of ATM packets (using a predetermined value in a header of one of the plural AAL2 packets to indicate the frame is transported by plural AAL2 packets, see col.4, lines 50-60). Sassion et al. does not disclose that the predetermine value is added into a length indicator field in the header and segmenting a frame of user data transported by AAL packets.

Nakano et al. discloses an AAL2 protocol data unit 4 ( fig.9A) is divided into fixed length segments 5-1 to 5-k (segmenting a frame of user data transported by AAL packets, see Abstract, col.2, lines 15-35). The data unit 4 is added with restoration filed comprising LI field (see Abstract, fig.1B, col.5, lines 10-17).

Therefore, it would have been obvious to one ordinary skilled in the art to apply the teaching of Nakano et al. into Sasson et al. in order to segment AAL2 packets transmitted over IP network, insert sequence number in the LI field of AAL packets and reduce overhead attached to IP packets

Regarding claim 95, Sasson et al. discloses the predetermined value is a sequence number (see claim 1, col.4, lines 50-60) (predetermined value has a range corresponding to a sequence number).

Regarding claims 16, 21, 49, 50, 78, 79, 102, and 103, the limitations of these claims have been addressed in claim 1.

Regarding claims 22, 51, 80 and 104, neither Sasson et al. nor Nakano et al. expressly disclose where the predetermined value is 46, but it would have been obvious to one skilled in the art to set the predetermined value at any number based on designer choice including 46. Therefore, it would have been obvious to one skilled in the art to set the predetermined value as 46 in order to segment the length of packets..

Regarding claims 52, 81 and 105, Sission discloses attaching sequence number in AAL2 packet, but does not disclose inserting sequence number in the UUI field of header. Nakano discloses in Fig.21 that AAL packet has UUI field in its header. Therefore, it would have been obvious to one ordinary skilled in the art to insert sequence number in the UUI of the header.

#### *Allowable Subject Matter*

Claims 2-15, 17-20, 37-48, 66-77 and 96-101 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 2, 10, 37, 44, 66 and 73, the prior art fails to disclose the predetermined value as claimed in claim 1 corresponds to a sequence number rather than to a length indication.

Regarding claims 19 and 96, The prior art does not disclose a last AAL packet is detected by having its LI field a value less than the maximum number of octets in a standard size AAL packets.

In claim 17, the prior art does not disclose the predetermined value is a value greater than a maximum number of octets in a standard size AAL2 packets.

Regarding claim 99, the prior art does not disclose the sequence number- related value inserted in all but the last of the plural AAL2 packets is selected from one of two ranges of reserved values for the length indicator field.

Statements of reasons for indication of allowable subject matter regarding claims 97-101 have been addressed in previous action.

*Ex Parte Quayle*

Claims 31-35, 61-64 and 90-93 are in condition for allowance except for the following formal matters:

Claims 31, 61 and 90 contain the following informalities:

In claim 31, “the predetermined value” on line 8 should be replaced with “the predetermined number” for consistency with line 7.

In claim 61, “the predetermined value” on line 7 should be replaced with “the predetermined number” for consistency with line 6.

In claim 90, “the predetermined value” on line 7 should be replaced with “the predetermined number” for consistency with line 6.

The following is an examiner’s statement of reasons for allowance:

Regarding claims 31, 61 and 90, the prior art fails to disclose inserting a predetermined number in the length indicator field of a header of all but a last of the plural AAL2 packets, the

predetermined number serving as a notification that another AAL2 packet of the plural AAL2 packets carries subsequent data belong to the frame.

Claims 23-30, 53-60 and 82-89 are allowed

The following is an examiner's statement of reasons for allowance :

Regarding claims 23, 53 and 82, the prior art fails to disclose inserting a sequence number-related value in the length indicator field of a header of all but a last of plural AAL2 packets.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1-105 have been considered. Claims 1, 16, 21, 22, 36, 45-52, 65, 78-81, 94, 95 and 102-105 are moot in view of the new ground(s) of rejection.

Claims 23-30, 53-60 and 82-89 are allowed. Claims 31-35, 61-64 and 90-93 are in condition for allowance under EX Parte Quayle.

Claims 2-15, 17-20, 37-48, 66-77 and 96-101 are objected

#### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Silverman (Pat.6731649 B1) discloses TDM over IP Emulation Service.

Lyons et al.(Pat.6075798) discloses Extended Header for Use in ATM Adaptation Layer Type 2 Packets.

Brueheimer et al.(Pat. 6,574,224 B1) discloses Processing Communication Traffic.

Haartesen ( US pat. 6925096 B2) discloses Method and Apparatus for Managing traffic flows.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 571 272 3092. The examiner can normally be reached on Monday-Friday from 8AM to 5PM. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on 571 272 3088. The fax phone number for the organization where this application or proceeding is assigned is 571 273 8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Nguyen



August 25, 2005

**HANH NGUYEN  
PRIMARY EXAMINER**